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In The
Supreme Court of the United States

October Term, 1999

CHI-MING CHOW,

Petitioner

vs.

MICHIGAN SUPREME COURT and
Attorney Grievance Commission.

Respondent.

On Petition For a Writ Of Certiorari to Michigan Supreme Court and Attorney Grievance Commission.

SUPPLEMENTAL BRIEF FOR PETITIONER

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RULES OF U.S. SUPREME COURT FOR FILING SUPPLEMENTAL BRIEF

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1. Rule 25.5: A party wishing to present late authority, newly enacted legislation, or other intervening matter that was not available in time to be included in a brief may file 40 copies of a supplemental brief. .....Page 1.

2. Rule 32: Models, Diagram, and Exhibits of material forming part of the evidence taken in a case and brought to this Court for its inspection shall be placed in the custody of the Clerk at least two weeks before the case is to be heard or submitted. ..... Page 1,

TABLE OF CITED AUTHORITIES

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Cases:

1. The video tape of the Rodney King v. Los Angeles city and Police Department. (1991) ..... Page 4.

The video tape which recorded the scene of police officers' severe beat of Rodney King when subdued him is the proof of the violations of Rodney King's civil rights. Those police officers were convicted and punished by the law for violations of Rodney King's civil rights.

This video taped recording was broadcast in major tv stations including ABC, CBS and NBC.

2. News clip of United States v. Former FBI Chief Michael Kahoe. (1992) ..... Page 4.

In the case of 1992 fatal shootout at a white supremacist's cabin in Ruby Ridge, Idaho, former FBI Chief Michael Kahoe was convicted and punished by the law in 1997 for malicious destruction of evidence, coverup and obstruction of justice. Kahoe was sentenced to 18 months in prison and also fined $4,000.

This case was reported by news media including Detroit News and Ann Arbor News on October 11, 1997.

TABLE OF EXHIBITS

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Exhibit 1: 10 copies of my court verified sound and colored video tape which contains eyewitnesses, physical evidences and court document of this case. These 10 copies of video tape are being mailed together with this Supplemental Brief. Besides the video tape, Exhibit 1 also contains court verification of this video tape and description of the content of this video tape minute by minute. ..... From Exh. 1 to Exh. 8.

Exhibit 2: A copy of May 11, 1992 news clip from Time Magazine regarding the video taped scene of Rodney King being a writhing body twisting on the ground under kicks and nightstick blows in what may be the most endlessly replayed videotape ever made. It was based on this videotape recording, Los Angles' policemen in King's case were convicted for violating King's civil rights. ..... Exh. 9.

Exhibit 3: A copy of October 11, 1997 News clips from Ann Arbor News regarding the case of United States v. Former FBI Chief Michael Kahoe. Kahoe was convicted for his malicious destruction of evidence, coverup and obstruction of justice in the case of 1992 fatal shootout at a white supremacist's cabin in Ruby Ridge, Idaho. ..... Exh. 10.

Exhibit 4: Michigan Attorney Grievance Commission Rule 9.108 (A) Authority

of Commission. It states:" The Attorney Grievance Commission is the prosecution arm of the Supreme Court for discharge of its constitutional responsibility to supervise and discipline Michigan Attorneys." ..... Exh. 11.

STATEMENT OF SUPPLEMENTAL BRIEF

Dear Honorable U.S. Supreme Court Judges Rehnquist, Breyer, Ginsburg, Kennedy, O'Connor, Scalia, Souter, Stevens, and Thomas:

In my Petition Brief, I have informed your Honors that the prosecuting attorney in my case has unlawfully destroyed all the physical evidences seized by the court without a court order to cover up their criminal actions. Fortunately, I have anticipated such criminal action and have taken pictures and also video taped all the physical evidences before they were maliciously destroyed.

By Court Rule 25.5 for supplemental briefs and Rule 32 for Models, Diagrams, and Exhibits, I am now submitting the following 4 exhibits including my video tape as additional evidences for my Petition for a Writ of Certiorari:

Exhibit 1: Seeing is believing. Fact is better than eloquent argument. I am submitting 10 copies of my court verified colored and sound video tape which contains eyewitnesses, physical evidence and some essential court documents. For your Honors' convenience, I am again add court verification of this video tape and description of the content of this video tape minute by minute in Exhibit 1. (Please see Exhibit 1 from Exh. 1 to Exh. 8.)

Since all the court documents in my video tape have already been stated

and printed in my Petition Brief, in order to save time to review the video tape, all the sections of the court documents can be past by Fast Forward. Please also note, a 8-31-1993 TV 2 report of this case after the unjust charge was dismissed is added at the end of this tape. (These 10 copies of video tape with court verification, 40 copies of Supplemental Brief and a Proof of Service are mailed together.)

Physical evidence may be the most reliable evidence for a criminal investigation. In my case, in order to prove the prosecuting attorney's false accusation and false arrest, the important fact we want to find out is whether the old shoes on my feet, claimed by Kmart as its new shoes, were from inside of the store or from outside of the store when I was arrested on August 12, 1989. As we know, I have reported in my Petition Brief that I once ran through a rain storm with my old shoes. If your Honors review my court verified photos and video taped physical evidence , your Honors can see the deep worn off signs and rain splashed mud all around my old shoes. You can see the rain splashed mud on the front of my old shoes caused by the force of running. The surface of the whole shoe became gray, It is impossible for any one to change a pair of new shine shoes into the condition of my old shoes by walking 75 steps from the shoe shelf to the front checkout as reported by Kmart's original report. However, before the trial, my request for a living demonstration in front

of the jury was denied by the Judge. Instead, the prosecutor stipulated with my trial counsel before the trial to allow him and Kmart to produce their false evidences without my trial counsel's objection. This was why there were 5 pair look alike shoes at the trial which were recorded on the photos and in my video tape. Also at the trial, Kmart's Fehrenbach and Sweet lied under oath that they saw I scuffed shoes for 10 to 15 minutes followed by Sweet. Their perjury clearly contradicted with their original reports that I walked directly from the shoe shelf to the front checkout counter written right after the incident.

Moreover, the physical evidence is also the best evidence to prove the criminals' perjury because they could not produce the rain splashed mud on the shoes since there was no rain storm inside of the Kmart store. My old shoes were clearly from outside of the store. (Please also refer to my Petition Brief including Hon. Judge Battani's eye-witness comment about the false accusation, physical evidence, perjury and conspiracy etc. on page 8 of my Petition Brief. Note: There is a typing error in my Petition Brief Appendix. Page App. 58 should be placed after Page App. 55.)

This was why when the unjust charge was reversed and a new trial was ordered, the prosecuting attorney filed his frivolous appeal to buy time to unlawfully destroy all the physical evidences seized by the court without

a court order to cover up their criminal actions. The prosecuting attorney's frivolous appeal was denied after two year long waiting period and the unjust charge was finally dismissed on July 29, 1993 from the lower court without a new trial. (For detail, please refer to my Petition Brief.)

Exhibit 2: A copy of the news clip of the Rodney King v Los Angels Police Department. This news clip was reported by Time magazine on May 11, 1992 issue. It stated:" FOR MORE THAN A YEAR HE (Rodney King) had been a writhing body twisting on the ground under kicks and nightstick blows in what may be the most endlessly replayed videotape ever made. Then on Friday afternoon TV finally gave Rodney King a face and a voice-a hesitant, almost sobbing voice that yet was more eloquent than any other that spoke during the terrible week. (Please see Exhibit 2 on Exh. 9.)

From this news clip, we know that had there been no video taped scenes of the beating and kicks on Rodney King by the police officers, King might never have a chance to get his justice served. The result of King's case shows two important facts. First, it shows that physical evidence may be the most important evidence of a criminal case. Second, based on this video taped evidence, all the police officers involved in this case were punished by the law. This shows that our law has no immunity for an official who commits criminal actions.

In my case, I have taken pictures and also video taped all the physical evidences before they were maliciously destroyed by the prosecuting attorney without a court order. When your Honors see my video taped physical evidences, your Honors will know why the criminal prosecuting attorney and law enforcement officials had to destroy all the physical evidences to cover up their criminal actions.

Exhibit 3. A copy of news clips of the case of United States v. Former FBI Chief Michael Kahoe. (1992) (Please see Exhibit 3 on Exh. 10.)

In the case of 1992 fatal shootout at a white supremacist's cabin in Ruby Ridge, Idaho, former FBI Chief Michael Kahoe was convicted and punished by the law in 1997 for malicious destruction of evidence, coverup and obstruction of justice. Kahoe was sentenced to 18 months in prison and also fined $4,000.

This case was reported by news media including Detroit News and Ann Arbor News on October 11, 1997.

In my case, its nature is worse than the Kahoe case because our corrupt prosecuting attorneys and law enforcement officials first assisted the criminals to use false evidence, perjury and conspiracy to convict an innocent citizen. After the unjust conviction was reversed for a new trial, they maliciously destroyed all the physical evidences seized by court without a court order to cover up their criminal

actions. They have clearly obstructed justice. After the unjust charge is dismissed, these corrupt prosecuting attorneys are now protecting the criminals and their own corrupt law enforcement officials from being prosecuted. Therefore it is also a clear case of coverup and violations of people's constitutional rights and civil rights to have equal justice and equal protection of the laws.

Exhibit 4: According to Michigan Attorney Grievance Commission Rule 9.108 (A) Authority of Commission, it states:" The Attorney Grievance Commission is the prosecution arm of the Supreme Court for discharge of its constitutional responsibility to supervise and discipline Michigan Attorneys." This law clearly shows that Michigan Attorney Grievance Commission is part of Michigan Supreme Court to supervise and discipline the attorneys. This is why any complaint against the Attorney Grievance Commission is filed for mandamus directly at Michigan Supreme Court. (Please see Exhibit 4 on Exh. 11.)

Based on Attorney Grievance Commission's own rule, in order to consider an exercise of discretion to be deemed an abuse of discretion, the result must be palpable violation of fact and logic, perversity of will, not exercise of judgment, not exercise by reason but rather of passion or bias. In short, discretion must be based on fairness, honesty and law.

In my Petition Brief, I have informed your Honors that I have given Attorney Grievance Commission all the eye-witnesses, court verified photos and video taped physical evidences, eyewitnesses, and court documents to back up my complaint. I have proved step by step all the criminal actions committed by prosecuting attorneys in my case such as false accusation, false arrest, false evidences, convicting innocent citizen by perjury and conspiracy. willful neglect of duty, malicious destruction of physical evidence seized by court without a court order, coverup, obstruction of justice and violations of my constitutional rights and civil rights.

However, Attorney Grievance Commission has neglected all the evidence and fact of my grievance. It even neglected both Michigan Civil Rights Commission's and U.S. Civil Rights Commission's supports for my complaint. Its officials also refused to review my court verified video taped evidence to avoid facing the fact of my grievance. It has covered up the prosecuting attorneys' misconducts and criminal actions. Its action is dishonest, unfair and against the law. Therefore its decision to close my grievance is unfair, unjust, unreasonable, bias and unlawful. By its own rule of abuse of discretion. these facts have proved its abuse of discretion, obstruction of justice and violations of my constitutional rights and civil rights to have equal justice and equal protection of the laws.

Further Reason For My Petition

I must also point out that the fact that all the prosecuting attorneys in my case are well educated, trained and tax paid government officials to enforce the law. They are supposed to fight against the criminals and protect the good citizens. They have no authority to knowingly conflict with U.S. Constitution 14th Amendment.

Now they have done just the opposite. They have turned our constitution and law of equal justice upside down. It is a scandal in the 21th Century's judicial system.

Therefore according to U.S. Supreme Court Rule 10 (c), Michigan Supreme Court and its Attorney Grievance Commission have violated an important federal law, U.S. Constitution 14th Amendment, the law of equal justice and equal protection of the laws for all citizens, in a way that conflicts with relevant decisions of this Court. This is an undeniable reasons for this Honorable Court to consider my petition.

CONCLUSION

It is clear that Attorney Grievance Commission's duty is to be the prosecution arm of the Supreme Court to supervise and discipline the attorneys. We have Attorney Grievance Commission in ever state of this country. We can not set a precedent to let Attorney Grievance Commission and State Supreme Courts to protect the prosecuting attorneys' misconduct and criminal actions and turn our constitution and law of equal justice upside down.

For the above-mentioned facts and reasons and those set forth in the Petition Brief, I sincerely hope that my Petition will be granted by this Honorable Court so that justice can be served. The damage to our constitution can be restored and my ruined life and human dignity can be recovered.

Your Honors' justice will be greatly appreciated.

Very truly yours,

Chi-Ming Chow

Chi-Ming Chow, Retired Mathematics Teacher of Oakland Community College, Michigan.

Date: July 4, 2000